

LETTER OF AGREEMENT
BETWEEN
THE DEPARTMENT OF ADULT AND JUVENILE DETENTION
AND
THE KING COUNTY CORRECTIONS GUILD
REGARDING FIREARMS RE-QUALIFICATION

WHEREAS, an issue of mutual concern exists between the King County Department of Adult and Juvenile Detention, hereinafter referred to as the Department and/or the Employer, and the King County Corrections Guild, hereinafter referred to as the Guild, regarding a special firearms training class (remedial) for staff who have previously failed to meet re-qualifications standards;

AND WHEREAS, both parties acknowledge the desire to work collaboratively in an attempt to more efficiently utilize and maintain a cadre of firearms-qualified staff;

AND WHEREAS, historically, an expanded four-hour remedial training class has been held after the completion of each semi-annual re-qualification session for staff who failed to obtain a passing score during the re-qualification session;

AND WHEREAS, these expanded remedial classes have not resulted in a significant number of staff remaining firearms qualified;

AND WHEREAS, the Department's desire to efficiently train, utilize, and retain firearms qualified staff necessitates a departure from the historical practice regarding expanded remedial classes;

THEREFORE, the Department and the Guild hereby enter into the following agreement:

1. The provisions of the Collective Bargaining Agreement dated January 1, 2001 through December 31, 2003 concerning Firearms Re-Qualification are replaced by the terms of this Letter of Agreement.
2. **Staff who have a legitimate reason to be excused from a semi-annual re-qualification session** must document that reason, in writing, to their Division Major at least 14 days in advance of the re-qualification session. (Except staff on approved leave during the re-qualification period.) Staff requesting to be excused from a re-qualification session due to medical reasons not already known to the Department may be required to provide written verification in the form requested by the Department.
3. The requests to be excused will be reviewed by the Division Majors and other senior managers, if necessary. A list of those staff excused will be forwarded to the Firearms Instructors. Those not excused will be notified by the Division Majors and will be required to sign-up and attend the re-qualification session. **Staff who are not excused from and fail to attend a semi-annual re-qualification session without a legitimate reason** will be disciplined for failure to follow a directive and will not be allowed to participate in a make-up shoot. They will no longer be considered firearms qualified. They will no longer receive a firearms premium, will no longer show as weapons qualified in the Roster Management System (RMS), and will be required to turn in their Department-issued firearm(s) and related equipment.
4. **Staff attending a semi-annual re-qualification session and failing to obtain a passing score** will have the option of voluntarily turning in their Department-issued firearm(s) and related equipment. They will no longer be considered firearms qualified. They will no longer receive a firearms premium, will no longer show as weapons qualified in the RMS. However, if these staff choose, they will be offered a chance to obtain a passing score during a four-hour remedial class scheduled shortly after their re-qualification session. (They will not be assigned to carry a firearm during the intervening time period.) **If they fail to obtain a passing score during the re-qualification session and subsequent remedial class**, they will no longer be considered firearms qualified. They will no longer receive a firearms premium and will no longer show as weapons qualified in the RMS. They will again have the option of voluntarily turning in their Department-issued firearm(s) and related equipment, with the stipulations

- above, or if they so choose, they will be allowed to attend the next regularly scheduled semi-annual re-qualification session. They will be allowed to retain their Department-issued firearm(s) and related equipment during this time period, and will be allowed to draw practice ammunition.
5. **Staff who are excused from a semi-annual re-qualification session** will be required to attend a make-up shoot to be scheduled by the Department, usually within 30 days after the re-qualification session ends. This make-up shoot will be administered by no less than two Department Firearms Instructors. Staff who are unable to attend this make-up shoot will be permitted to retain their firearm(s) and equipment only if they have requested and been granted approval to be excused in advanced. See section #3 above for the approval process.
 6. **Staff who are excused from the semi-annual re-qualification session and the make-up shoot, or who fail to obtain a passing score during a make-up shoot** will have their firearms premium discontinued (subject to review on a case-by-case basis), will have the weapons-qualified attribute removed from their name in the RMS, and will not be allowed to work any firearms-required posts. These stipulations take effect on the date that the re-qualifications sessions end. They will be allowed to retain their Department-issued firearm(s) and related equipment and will be authorized to draw practice ammunition up until the next semi-annual re-qualification session, at which time they will be required to re-qualify.
 7. **Staff who are excused from a semi-annual re-qualification session and the subsequent make-up shoot, or fail to obtain a passing score during a semi-annual re-qualification session and subsequent make-up shoot, and then are unable to attend the next scheduled semi-annual re-qualification session for whatever reason, or fail to obtain a passing score during a second semi-annual re-qualification session** will no longer be considered firearms qualified. They will no longer receive a firearms premium, will no longer show as weapons qualified in the RMS, and will be required to turn in their Department-issued firearm(s) and related equipment. These staff will be required to apply for, and be approved to attend, a full Basic Firearms Training Course in order to again be firearms qualified. This provision does not apply to those staff with exceptional circumstances such as long-term active military duty, long-term, approved medical leave, or other clearly extraordinary reasons for not attending the re-qualification sessions (see #8, below). These cases will be evaluated by the Division Majors and other senior managers and appropriate action taken.
 8. **Staff returning to full duty (after an extended leave or limited duty) who are no longer firearms qualified because they missed two consecutive re-qualification sessions** will not be assigned to any firearms-required positions until they have obtained a passing score on the current Department re-qualification course. These staff will be required to attend a make-up shoot to be scheduled by the Department, usually within 30 days of the staff member's return to duty. This make-up shoot will be administered by no less than two Department Firearms Instructors. This make-up shoot will be treated as the staff member's semi-annual re-qualification session and the staff member will be subject to the guidelines outlined in Section #4 above if a passing score is not obtained.
 9. Sections 2-8 above are illustrated on the attached Weapons Flowchart.
 10. Following each semi-annual re-qualification session, the senior Firearms Instructor will be responsible for insuring that the names of staff who did not qualify (and the circumstances), or who failed to attend the session are forwarded to the Division Majors. The names will be reviewed by the Division Majors and other senior managers and appropriate action taken.
 11. Management will convey these changes to staff in the re-qualification notices.

This agreement shall take effect when signed by both parties and shall remain in effect until December 31, 2006.

For the Department:

For the Guild:

Larry Mayes, Director

Date

Jared C. Karstetter

Date